

AMENDMENTS TO THE CLAIMS

Please amend Claims 4, 7, 9-11, 14, 17, 22, 26, 28 and 30-38 as indicated below.

1. (Canceled)
2. (Canceled)
3. (Canceled)
4. (Currently Amended) A computer-implemented method for creating a partial equity interest in residential property owned by a homeowner comprising:

creating with a computer processor configured to execute with a computerized data interface, a partial equity interest in a residential property occupied by a homeowner, the partial equity interest associated with a non-debt related investment defined by at least one of the group consisting of a contract, a recorded lien against the property, or sharing of title between the homeowner and at least one investor, wherein the partial equity interest in the residential property occupied by the homeowner does not obligate the homeowner to repay the investment made by the investor at anytime, the creation of the partial equity interest further comprising:

the homeowner obtaining value for the partial equity interest;

the homeowner retaining ~~the~~ right to continue to receive one or more tax advantages of ownership of the residential property;

the homeowner retaining right of residency of the residential property, right to make home improvements, and right to determine when to sell the residential property;

the homeowner having ~~the~~ an obligation to pay any real estate taxes and mortgage payments, insurance and up keep expenses associated with the residential property,

the homeowner granting a right to the investor to retain the partial equity interest in the residential property upon sale of the residential property, wherein a subsequent purchaser of the residential property has right to agree whether the investor retains the partial equity interest in the residential property;

the investor waiving one or more rights to control and sale of the residential property, while retaining rights to approve a sales price of the residential property; and

the investor waiving right to obtain any potential cash flows from the residential property;

the investor having right to waive the receipt of proceeds from sale of the residential property in exchange for retaining the partial equity interest in the residential property;

the investor collecting a share of proceeds from a future sale of the residential property based on the partial equity interest; and

the investor obtaining ~~the rights~~ right to transfer the partial equity interest in the residential property to other parties; and

a facilitator that bundles partial equity interests associated with a plurality of homeowners and a plurality of investors, wherein the facilitator obtains financing for trades of one or more of the bundled partial equity interests, and

storing information about the bundled partial equity interest ~~interests~~ in a computer accessible storage medium.

5. (Original) The method of claim 4, wherein the waived rights include a right to receive federal tax benefits.

6. (Canceled)

7. (Currently Amended) A computer-implemented method for selling a partial equity interest in a real estate property, comprising:

applying for a real estate property equity sale and providing information relating to the a real estate property transaction;

enabling with a computer processor, a contact and data interface between a homeowner owning a residential property that is homeowner occupied and at least one investor, property interest and an entity and for entering data relating to a real estate property transaction wherein the real estate property transaction the data interface is configured to create ~~creates~~ a partial equity interest in the residential property, wherein the partial equity interest is associated with a non-debt related investment defined by at least one of the group consisting of a contract, a recorded lien against the property, or sharing of title between the homeowner and at least one the investor, wherein the partial equity interest in the residential property does not obligate the homeowner to repay an investment made by the investor at anytime, the creation of the partial equity interest comprising:

the homeowner obtaining value for the partial equity interest;

the homeowner retaining ~~the~~ right to continue to receive one or more tax advantages of ownership of the residential property;

the homeowner retaining right of residency of the residential property, right to make home improvements, and right to determine when to sell the residential property;

the homeowner having ~~the~~ an obligation to pay any real estate taxes and mortgage payments, insurance and up keep expenses associated with the residential property,

the homeowner granting right to the investor to retain the partial equity interest in the residential property upon sale of the residential

property, wherein a subsequent purchaser of the residential property has right to agree whether the investor retains the partial equity interest in the residential property;

the investor waiving ~~rights-right~~ to control and sale of the residential property, while retaining rights to approve a sales price of the residential property; and

the investor waiving right to obtain any potential cash flows from the residential property;

the investor having right to waive receipt of proceeds from sale of the residential property in exchange for retaining the partial equity interest in the residential property;

the investor collecting a share of proceeds from a future sale of the residential property based on the partial equity interest; and

the investor obtaining ~~the rights-right~~ to transfer the partial equity interest in the residential property to other parties;

storing ~~any information~~ about the partial equity interest in a computer memory ~~arising from or related to the real estate property transaction;~~

checking for related property documentation ~~that provides an input into the application process and~~ to ensure that all pertinent property documentation is provided;

processing ~~all pertinent transaction~~ information relating to the real estate property transaction;

transferring funds between the homeowner and the at least one investor participating in the real estate property transaction; and

filing documents that are related to the partial equity interest real-estate transaction and making the documents of record in the transaction.

8. (Original) The method of claim 7, wherein the sale of the partial equity interest in the real estate property and the partial equity interest is a concurrent estate in land possessed by two or more holders of the partial equity interests.

9. (Currently Amended) The method of claim 7, wherein in the applying step direct and indirect participation is permitted in the real estate property transaction.

10. (Currently Amended) The method of claim 7, wherein the information includes ownership information, appraised value of the residential property, a specific amount of partial equity interest intended to be sold and a listing of all parties involved in the real estate property transaction.

11. (Currently Amended) The method of claim 7, wherein the checking step includes checking for completeness or incompleteness of the application and determines if the real estate property transaction should proceed or not proceed.

12. (Original) The method of claim 7, wherein the sale of the partial equity ownership in a home allows the homeowner to receive a federal tax deferral on that sale, sell the rest of the home later under a lumped-sum transaction rule, and continue to live in the home.

13. (Original) The method of claim 7, wherein the processing step provides a disposition of a submitted application.

14. (Currently Amended) The method of claim 7, wherein the homeowner remains responsible for property associated expenses including property taxes, mortgage payments, insurance and general operating expenses associated with the residential property.

15. (Previously Presented) The method of claim 7, wherein the entity will manage one or more real estate related transactions for the homeowner.

16. (Previously Presented) The method of claim 15, wherein the entity will receive a plurality of fees including a placement commission, an annual fee, and a performance fee as compensation for the entity services provided.

17. (Currently Amended) The method of claim 7, wherein the processing step includes structuring the real estate property transaction in a manner to avoid the payment of interest and the payment of principal upon sale of the partial equity interest.

18. (Original) The method of claim 17, wherein when the processing step includes executing the sale of the partial equity interest in the real estate property, the sale is considered a non-taxable event.

19. (Original) The method of claim 18, wherein when the sale of the partial equity interest in the real estate property is executed, processing is performed to minimize taxable consequences.

20. (Original) The method of claim 7, wherein the checking step includes checking for information including any title, liens or appraisals that exist on the real estate property and factors this information into the processing means.

21. (Original) The method of claim 7, wherein the processing step includes processing a standard home equity loan or line of credit based upon the existing equity in the real estate property.

22. (Currently Amended) The method of claim 7, wherein the processing step is performed to ensure that the entity has final approval authority on any aspect of the real estate property transaction affecting the entity's interests, including the sale of the real estate property.

23. (Original) The method of claim 7, wherein the processing step ensures that a payback of the partial equity ownership share is due upon final sale of the real estate property.

24. (Original) The method of claim 7, further comprising: accommodating transferred funds including cash, cash equivalents, warrants, options, financial derivatives and debt instruments.

25. (Original) The method of claim 7, further comprising: tracking the partial equity ownership share sale as a percentage of the total value of the real estate property sold.

26. (Currently Amended) The method of claim 25, wherein the processing step is performed to ensure that upon sale of the residential property, the entity receives a percentage of the appraised value of the real estate property.

27. (Original) The method of claim 7, further comprising: tracking the partial equity ownership share sale as a dollar value.

28. (Currently Amended) The method of claim 27, wherein upon sale of the residential property, the entity receives an adjusted dollar value representing a value of the partial equity ownership share.

29. (Original) The method of claim 28, wherein an approval step is performed which yields a qualified approval that results in at least one subsequent iteration, where information including any missing, incomplete, or inadequate documentation is provided for further evaluation and application processing.

30. (Currently Amended) The method of claim 7, wherein the parties involved in the real estate property transaction are existing financial institutions including title companies, mortgage companies, real estate agents and brokers, institutional investors, private investors, pension funds, mutual fund companies, commercial developers, residential developers, and title companies.

31. (Currently Amended) The method of claim 30, further comprising: continuously monitoring changes including legal, tax, and property status that affect the real estate property transaction and any interests of the parties involved.

32. (Currently Amended) The method of claim 31, further comprising: evaluating local state law and structuring the real estate property transaction in a manner to avoid any due on sale clause that is triggered by the real estate property transaction.

33. (Currently Amended) The method of claim 7, wherein the entity will manage one or more real estate property transactions for one or more homeowners and in exchange, the entity will receive a plurality of fees from one or more homeowners.

34. (Currently Amended) The method of claim 7, further comprising: creating and maintaining a real estate property database, and the database includes owner information, property addresses, appraised values, changes in the appraised values over time, total equity interest in the residential property and equity interest that has been sold.

35. (Canceled)

36. (Canceled)

37. (Canceled)

38. (Canceled)

39. (Canceled)

40. (Canceled)